

ANNA DANIELSON AND BETTY TIEDEMAN

MAY 25, 1942.—Ordered to be printed

Mr. CAPPER, from the Committee on Claims, submitted the following

REPORT

[To accompany H. R. 5723]

The Committee on Claims, to whom was referred the bill (H. R. 5723) for the relief of Anna Danielson and Betty Tiedeman, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are fully set forth in House Report No. 1988, Seventy-seventh Congress, second session, which is appended hereto and made a part of this report.

[H. Rept. No. 1988, 77th Cong., 2d sess.]

The Committee on Claims, to whom was referred the bill (H. R. 5723) for the relief of Anna Danielson and Betty Tiedeman, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

Page 2, line 2, strike out the words "Works Progress" and insert in lieu thereof "Work Projects".

The purpose of the proposed legislation is to pay to Anna Danielson, of North Syracuse, N. Y., the sum of \$875, and to Betty Tiedeman, of Maitland, Fla., the sum of \$153.10 for personal injuries and expenses incurred as a result of a collision when the automobile in which they were riding was struck by a truck operated in connection with the Work Projects Administration, on December 13, 1940, near Winter Park, Fla.

STATEMENT OF FACTS

On December 13, 1940, Betty Tiedeman, accompanied by Anna Danielson, was operating an automobile at the speed of about 25 to 30 miles per hour, in a westerly direction on Aloma Drive, near Winter Park, Fla.; that as the automobile entered the intersection of Aloma Drive with Lakemont Avenue, a truck operated at an excessive rate of speed by a Work Projects Administration employee, traveling in a northerly direction on Lakemont Avenue, entered the intersection from Betty Tiedeman's left, and collided with the automobile; that Aloma Drive is a through highway, a stop sign being located at the southeast corner of the intersection; that the Work Projects Administration truck driver failed to stop in obedience to the sign before entering the intersection, and, as a result of the collision, Anna Danielson was taken to Dr. Ramsey in Winter Park,

who caused her ribs to be strapped; that X-rays revealed fracture of the ribs and bones of the right wrist. She was taken to Orange General Hospital in Orlando, where the broken bones of her wrist were set by an orthopedic surgeon; that the right wrist was then placed in a cast, and her wrist and arm confined in the cast and carried in a sling for a period of 3 months. Betty Tiedeman was taken to Dr. Ramsey for treatment and on the day following the accident, was referred to Dr. Walter A. Weed for X-ray examination, which revealed a fracture of the scaphoid bone of the right wrist.

Anna Danielson incurred nursing expenses from December 14, 1940, to April 12, 1941, at \$15 a week, or a total of \$225; the sum of \$25 for X-rays, the sum of \$25 for services rendered by Dr. Ramsey, and the sum of \$125 for services rendered by Dr. Weed. Betty Tiedeman incurred medical expenses in the sum of \$30, the sum of \$20 for X-rays, the sum of \$16 for maid service, the sum of \$6 for laundry, the sum of \$60 for 4 weeks' loss of wages, the sum of \$80.40 for the loss of use of damaged automobile.

The Work Projects Administration, in report to the committee dated December 4, 1941, recommends:

"The Administration, upon the foregoing, is of the opinion that the accident and resulting injuries were occasioned by the negligence of the Work Projects Administration truck operator in entering the intersection at an excessive speed, in failing to halt in obedience to the 'Stop' sign, and in failing to yield the right-of-way to the Tiedeman automobile which was entitled thereto. Accordingly, the Administration recommends enactment of the proposed legislation in such amounts as the Congress may deem appropriate."

Appended hereto is the report of the Work Projects Administration, together with other pertinent evidence.

FEDERAL WORKS AGENCY,
WORK PROJECTS ADMINISTRATION,
Washington, D. C., December 4, 1941.

The Honorable DAN R. McGEHEE,
Chairman, Committee on Claims, House of Representatives.

DEAR MR. McGEHEE: Reference is made to your letter of November 15, 1941, and the Administration's acknowledgment of November 18, 1941, requesting a report on H. R. 5723, a bill for the relief of Anna Danielson and Betty Tiedeman.

The Administration's report is as follows:

The bill proposes to appropriate to "Anna Danielson, of North Syracuse, New York, the sum of \$875; and Betty Tiedeman, of Maitland, Florida, the sum of \$153.10, in full settlement of their claims against the United States for expenses incurred and personal injuries sustained on December 13, 1940, near Winter Park, Florida, as the result of a collision of the automobile in which claimants were riding with a Government-owned truck operated by an employee of the Work Projects Administration."

From evidence adduced by investigation, it is established that, at 1:20 p. m., on December 13, 1940, Betty Tiedeman, accompanied by Anna Danielson, was operating an automobile owned by her husband, which is described as a 1937 Oldsmobile coupe, at a speed from 25 to 30 miles per hour in a westerly direction on Aloma Drive near Winter Park, Fla.; that, as the automobile entered the intersection of Aloma Drive with Lakemont Avenue, a truck operated at an excessive speed by a Work Projects Administration employee, traveling in a northerly direction on Lakemont Avenue, entered the intersection from Betty Tiedeman's left and collided with the automobile; that Aloma Drive is a through highway, a "Stop" sign being located at the southeast corner of the intersection; that the Work Projects Administration truck operator failed to stop in obedience to the sign before entering the intersection; and that, as a result of the collision, the Tiedeman vehicle was damaged.

The cost of repairing Mr. Tiedeman's automobile was \$73.99. His insurance carrier paid the sum of \$23.99 under its contract which contained a \$50 deductible clause. Mr. Tiedeman paid the deductible amount and then presented his claim in that amount to this Administration for reimbursement. The claim was considered under section 25 of the Emergency Relief Appropriation Act, fiscal year 1941 (54 Stat. 611), and the Administration, being of the opinion that the evidence established that the accident was caused by the negligence of the Work Projects Administration truck operator, favorably determined the claim in the full amount under date of June 23, 1941.

Betty Tiedeman complained of internal injuries as a result of the accident. Dr. Walter A. Weed, of Orlando, Fla., X-rayed the pelvic and lumbar spinal regions which failed to show any fractures. The physician's diagnosis was "severe lumbosacral and sacroiliac sprain; subcutaneous hematoma."

Betty Tiedeman alleges that her medical expenses amounted to \$30; that X-ray examinations amounted to \$20; that she was required to employ the services of a maid for 4 weeks at \$4 a week; that laundry services for 4 weeks at \$1.50 per week amounted to \$6; that she lost 4 weeks' wages at \$15 per week amounting to \$60; and that transportation expenses due to loss of use of the damaged automobile for 3 months amounted to \$80.40.

With respect to the item of transportation, no evidence has been submitted to establish that Betty Tiedeman or her husband actually incurred such expenses. As to the present condition of Betty Tiedeman, Dr. Russell W. Ramsey, in a statement dated November 21, 1941, declares as follows:

"This is to certify that Mrs. Betty Tiedeman has completely recovered from the injuries incurred in the accident on December 13, 1940, when an automobile in which she was riding collided with a Work Projects Administration truck. Her physical examination at this time is negative. There is no disability at present and there should be no future disability resulting from these injuries."

Anna Danielson, in an affidavit dated August 19, 1941, avers that, "* * * after the accident deponent was taken to Dr. Ramsey in Winter Park who caused her ribs to be strapped; the following day X-rays were taken by Dr. Walter A. Weed in Orlando, Fla., and disclosed that there were fractures of ribs and bones of the right wrist; deponent was taken to Orange General Hospital in Orlando where the broken bones of her wrist were set by Dr. Richard Walker, orthopedic surgeon; the right wrist was then placed in a cast and her wrist and arm were confined in the cast and carried in a sling for a period of 3 months; during this time deponent was unable to care for herself and required assistance in clothing itself, eating and other normal functions; deponent then secured the services of a practical nurse, Mrs. Lillian S. Palmer, who aided deponent from December 14, 1940, to April 12, 1941, at \$15 per week, making a total of \$255; the X-rays of Dr. Walter Weed were \$25, the bill of Dr. Ramsey for examination and treatment is \$25, and the bill of Dr. Richard Walker for care and treatment is \$125."

With respect to the present condition of Anna Danielson, Dr. D. W. McCuen, Syracuse, N. Y., in a statement dated September 16, 1941, declares that: "In my opinion the condition as found at the present time is a permanent one, namely the stiffness, slight deformity and limitation of motion of the wrist. I do not find any evidence of injury to the chest at the present time. Apparently the patient has fully recovered from this injury."

The Administration, upon the foregoing, is of the opinion that the accident and resulting injuries were occasioned by the negligence of the Work Projects Administration truck operator in entering the intersection at an excessive speed, in failing to halt in obedience to the stop sign, and in failing to yield the right-of-way to the Tiedeman automobile which was entitled thereto. Accordingly, the Administration recommends enactment of the proposed legislation in such amounts as the Congress may deem appropriate.

The attention of your committee is invited to the fact that since July 1, 1939, the name of the Administration has been "Work Projects Administration" and not "Works Progress Administration" as it appears in line 2, page 2, of the bill.

There are enclosed photostatic copies of pertinent documents from the files of this Administration.

Sincerely yours,

F. H. DRYDEN,
Acting Commissioner.

SYRACUSE, N. Y., September 16, 1941.

To Whom It May Concern:

In re: Anna Danielson (Mrs. William), Route No. 1, North Syracuse, N. Y., married, three children, caretaker, was examined by me on August 19, 1941.

Mrs. Danielson states that on December 13, 1940, about 1:30 p. m., she was riding with Mrs. Tiedeman, outside of Winter Park, Fla., on Route 202 when a Work Projects Administration truck struck their car at an intersection. Mrs. Danielson states that she received a fractured rib in the right chest and a fracture of the right wrist. She was dazed and besides the fractures received severe bruises to the left chest and to the right wrist and arm. She was treated by Dr. Ramsey of Winter Park. States that her hand swelled a great deal and she was

referred to Dr. Walter Weed of Orlando on the next day for an X-ray of her right wrist and left chest. The X-ray showed an irregularity near the middle of the scaphoid bone which has the appearance of a fracture. X-rays of the left chest do not show any evidence of a fracture. Subsequent X-rays on February 8 and 10, 1941, show the irregularity of the scaphoid bone in the right wrist much less noticeable than at the time of the previous examination of December 14, 1940, which would indicate that this was a fracture and that there is an osseous union of the fragments. On March 15, 1941, another X-ray report shows apparently good bony union between the fragments of the scaphoid bone. It was also noted that there was considerable traumatic atrophy of the bones of the lower forearm and hand.

Mrs. DANIELSON was also referred to Dr. Richard Walker who applied a cast to her right wrist. She had been taken to the General Hospital for this treatment. The cast remained on the wrist and forearm 3 months. Mrs. Danielson left Florida April 15, 1941.

Present complaints: States that her right hand, wrist, and forearm ache her a great deal and the arm and wrist still are very weak. There is some stiffness and limitation of motion.

Examination: Shows that there is about 10 to 15 degrees of limitation of flexion and extension of the right wrist, also a muscle weakness and pain and tenderness along the back of the right hand, wrist, and forearm. This causes an apparent deformity of the hand and wrist, although not a marked one.

I referred Mrs. Danielson to Dr. Childs for an X-ray which was reported as showing, at the present time, no evidence of fracture or dislocation of the wrist, but that the scaphoid bone shows a small area of demineralization which is not pronounced.

Many times injuries to one of the carpal bones of the wrist are followed by stiffness and other changes in the surrounding bones, ligaments, and tendons, especially in a patient of 63, and this apparently is what has occurred in Mrs. Danielson's case.

In my opinion the condition as found at the present time is a permanent one, namely the stiffness, slight deformity, and limitation of motion of the wrist. I do not find any evidence of injury to the chest at the present time, apparently the patient has fully recovered from this injury.

Very truly yours,

B. W. McCuen, M. D.

STATE OF NEW YORK,

County of Onondaga, City of Syracuse, ss:

Anna Danielson, being duly sworn, deposes and says that she is the wife of William Danielson and resides at Brewerton Road, North Syracuse, N. Y.; that deponent and her husband resided at Rural Delivery No. 1, Maitland, Fla., in December 1940; that on the 13th day of December 1940, deponent was a passenger in an automobile owned by Herbert Tiedeman which was being operated by his wife, Betty Tiedeman, in a generally westerly direction along Route 202, Aloma Drive, approaching the intersection at Lakemont Avenue near Winter Park, Fla.

Deponent was sitting in the front seat alongside of the operator, Betty Tiedeman, and the automobile was proceeding at approximately 25 to 30 miles per hour; at the intersection of Aloma Drive and Lakemont Avenue deponent saw a Work Projects Administration truck proceeding in a northerly direction along Lakemont Avenue approaching the said intersection; Aloma Drive is a boulevard highway and there is a stop sign located at the southeast corner of said intersection governing traffic on Lakemont Avenue; deponent later learned that said Work Projects Administration truck No. 115 was being operated by Luther Edge and was returning empty from Orlando Airport after drawing soil from Winter Park; the said Work Projects Administration truck operated by Luther Edge did not slacken its speed or come to a stop at said stop sign and before entering the intersection but continued at its speed of approximately 40 miles per hour into and across said intersection, colliding with the left fender and side of the Tiedeman automobile; deponent was thrown from her seat to the floor by the collision and sustained injuries which were later found to be a broken rib on the left side and fractures of the bones in her right wrist.

At the scene of the accident said operator, Luther Edge, stated to deponent and to Betty Tiedeman that he had looked to his right and left before entering the intersection and that he did not see deponent's automobile which was directly in front of him; after the accident deponent was taken to Dr. Ramsey in Winter

Park who caused her ribs to be strapped; the following day X-rays were taken by Dr. Walter A. Weed in Orlando, Fla., and disclosed that there were fractures of ribs and bones of the right wrist; deponent was taken to Orange General Hospital in Orlando where the broken bones of her wrist were set by Dr. Richard Walker, orthopedic surgeon; the right wrist was then placed in a cast and her wrist and arm were confined in the cast and carried in a sling for a period of 3 months; during this time deponent was unable to care for herself and required assistance in clothing herself, eating, and other normal functions; deponent then secured the services of a practical nurse, Mrs. Lillian S. Palmer, who aided deponent from December 14, 1940, to April 12, 1941, at \$15 per week, making a total of \$255; the X-rays of Dr. Walter Weed were \$25, the bill of Dr. Ramsey for examination and treatment is \$25 and the bill of Dr. Richard Walker for care and treatment is \$125.

At this time deponent has a weakness in her right wrist and is unable to use it with the degree of effectiveness which existed prior to this accident; that deponent suffers constant pain and difficulty in the normal use and movements of her wrist and arm; that she is incapacitated from performing her usual duties and functions; that deponent and her husband own and operate Bear Trap Park, picnic grounds, and private park at Brewerton Road, North Syracuse, and deponent's duties consist of preparation for picnics, outings, and clambakes; that she is now unable to perform her usual work and duties in connection with this occupation by reason of her injury.

ANNA DANIELSON.

Subscribed and sworn to before me this 19th day of August 1941.

[SEAL]

LOUIS YOUNG, Notary Public.

RUSSELL W. RAMSEY, M. D.,
Winter Park, Fla., June 30, 1941.

To Mrs. Anna Danielson, Maitland, Fla., for professional services account during December and January 1941, \$25.

ORLANDO, FLA., February 1, 1941.

To Mrs. William Danielson, Route 1, Maitland, Fla., in account with Dr. Walter A. Weed.

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| Dec. 14, 1940: X-ray examination: Right wrist | \$5 |
| Ribs, left side, anteriorly | 10 |
| Total | 15 |
| (Examinations requested by Dr. Russell Ramsey, Winter Park, Fla.) | |
| Feb. 8, 1941: X-ray examination, right wrist | 5 |
| Mar. 15, 1941: Reexamination, right wrist | 5 |
| Total amount due | 25 |

(Examinations requested by Dr. R. H. Walker, Jr.)

RICHARD H. WALKER, JR., M. D.,
Orlando, Fla., April 1, 1941.

To Mrs. William Danielson, Route 1, Maitland, Fla., to professional services, \$125.

APRIL 15, 1941.

To Mrs. William Danielson, Maitland, Fla., to Lillian S. Palmer, Maitland, Fla., December 14, 1940, to April 12, 1941, 17 weeks practical nursing at \$15 per week, \$255.

Paid April 15, 1941, Lillian S. Palmer.

MELVIN & MELVIN, ATTORNEYS,
MERCHANTS BANK BUILDING,
Syracuse, N. Y., November 12, 1941.

For professional services rendered X-ray right wrist of Mrs. William Danielson, \$8.

BROOKS W. McCUEN, M. D.,
Syracuse, N. Y., November 12, 1941.

To Mrs. Anna Danielson, to professional services rendered, August 19, 1941, examination and report, \$7.50.

WINTER PARK, FLA., November 21, 1941.

To Whom It May Concern:

Re medical report on the present condition of Mrs. Betty Tiedeman.

This is to certify that Mrs. Betty Tiedeman has completely recovered from the injuries incurred in the accident on December 13, 1940, when an automobile in which she was riding collided with a Work Projects Administration truck. Her physical examination at this time is negative. There is no disability at present and there should be no future disability resulting from these injuries.

RUSSELL W. RAMSEY, M. D.

STATE OF FLORIDA,
County of Orange, ss.:

Betty Tiedeman, being duly sworn, deposes and says that she is the wife of Herbert Alonzo Tiedeman and resides at Route 1, Maitland, Fla.; that on the 13th day of December 1940, she was driving her husband's 1937 Oldsmobile in a westerly direction toward Winter Park, Fla., along Alamo Drive and upon entering the intersection of Alamo Drive and Lakemont Avenue, her car was struck by a Work Projects Administration truck going north on Lakemont Avenue. The Work Projects Administration truck being driven by Luther Edga, who failed to stop at stop sign located at southeast corner of the intersection, Alamo Drive being a through street. The impact of the collision caused considerable damage to the left front part of her car, and personal injuries to herself and Mrs. Anna Danielson who was riding with her. She further states that she went to Dr. Russell W. Ramsey, Winter Park, Fla., for treatment, and on the day following the accident she was referred to Dr. Walter A. Weed for an X-ray examination which revealed a fracture of the scaphoid bone of right wrist. She states that medical expenses amounted to \$30; X-ray examination was \$20; maid service for 4 weeks at \$4 per week amounted to \$16; laundry for 4 weeks at \$1.50 per week amounted to \$6; loss of wages at \$15 per week amounted to \$60; transportation due to loss of use of damaged car for 3 months amounted to \$80.40; making a total of \$212.40.

She further states that at the time of the accident she was employed at a packing house, packing oranges, and received \$15 per week salary. She states that her age is 22.

BETTY TIEDEMAN.

Subscribed and sworn to before me an employee of the Work Projects Administration, designated to administer oaths by Designation 7 of General Order No. 3, Revised, of the Work Projects Administration.

A. D. WILLIAMS,
District Finance Officer.

RUSSELL W. RAMSEY, M. D.,
Winter Park, Fla., May 15, 1941.

To Whom It May Concern:

On December 14, 1940, I was called to the home of Mrs. William Danielson to treat her and Mrs. H. A. Tiedeman, of Maitland, Fla., for injuries sustained in an auto accident resulting from collision with a Work Projects Administration truck. On examination it was found that Mrs. Danielson was complaining of severe pain in her right wrist and the right side of her chest. X-ray examination by Dr. Walter A. Weed, of Orlando, Fla., showed fracture of the scaphoid bone of the right wrist. Mrs. Danielson was referred to Dr. Richard Walker, of Orlando, Fla., for consultation. A plaster cast was applied.

Mrs. H. A. Tiedeman had an X-ray of her pelvis and lumbar spine as the result of severe pain in her back and pelvis. However, the X-ray did not show any fracture. The diagnosis was severe lumbosacral and sacroiliac sprain; subcutaneous hematoma.

RUSSELL W. RAMSEY, M. D.